

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

ALAMEDA RESEARCH LTD. AND CLIFTON  
BAY INVESTMENTS LLC F/K/A ALAMEDA  
RESEARCH VENTURES LLC,

Plaintiffs,

- against -

MICHAEL KIVES, BRYAN BAUM,  
K5 GLOBAL HOLDINGS LLC, K5 GLOBAL  
TECHNOLOGY LLC, MBK CAPITAL LP  
SERIES T, K5 GROWTH CO-INVEST I GP  
LLC, K5 GLOBAL GROWTH FUND I GP  
LLC, K5 GLOBAL VENTURES LLC, MOUNT  
OLYMPUS CAPITAL LP, MOUNT OLYMPUS  
CAPITAL LLC, K5 GLOBAL GROWTH  
FUND II LP, K5 GLOBAL GROWTH FUND II  
GP LLC, K5X FUND I LP, K5X FUND I LLC,  
AND SGN ALBANY LLC,

Defendants.

Adv. Pro. No. 23-50411 (JTD)

SUNIL KAVURI, AHMED ABD-EL-RAZEK  
NOIA CAPITAL SÀRL and PAT RABITTE,

Plaintiffs,

v.

Adv. Pro. No. 24-50012 (JTD)

FTX TRADING, LTD., *et al.*,

Defendants.

<sup>1</sup> The last four digits of FTX Trading Ltd.'s FTX Trading Ltd.'s and Alameda Research LLC's tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson's Commercial Complex, Friars Hill Road, St. John's, Antigua and Barbuda.

**THIRD AMENDED<sup>2</sup> NOTICE OF AGENDA FOR HEARING SCHEDULED FOR MARCH 26, 2024 AT 10:00 A.M. (ET), BEFORE THE HONORABLE JOHN T. DORSEY AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, LOCATED AT 824 NORTH MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801**

**ALL PARTICIPANTS, INCLUDING ATTORNEYS INTENDING TO PRESENT AT THE HEARING AND WITNESSES, MUST BE PHYSICALLY PRESENT IN THE COURTROOM. ANY NON-PARTICIPANT MAY OBSERVE THE HEARING REMOTELY BY REGISTERING IN ADVANCE AT THE LINK BELOW NO LATER THAN MARCH 26, 2024 AT 8:30 A.M. (ET).**

To attend this hearing remotely, please register using the [eCourt Appearances](#) tool on the Court's website at [www.deb.uscourts.gov](http://www.deb.uscourts.gov).

**THE REMOTE HEARING REGISTRATION AND LINK FROM THE COURT'S MARCH 25, 2024 HEARING WILL BE VALID FOR THE CONTINUED HEARING ON MARCH 26, 2024. ONLY THOSE WHO PREVIOUSLY WERE NOT REGISTERED FOR THE MARCH 25, 2024 HEARING AND WISH TO OBSERVE THE MARCH 26, 2024 HEARING REMOTELY MUST REGISTER PURSUANT TO THE ABOVE INSTRUCTIONS.**

**ADJOURNED MATTERS:**

1. Joint Omnibus Motion of the Debtors and the Official Committee of Unsecured Creditors Pursuant to Bankruptcy Rule 2004 and Local Rule 2004-1 for an Order Authorizing the Issuance of Subpoenas for Discovery from Silicon Valley Accountants, Silvergate Bank, and Evolve Bank & Trust [D.I. 1874, filed on July 17, 2023]

Status: This matter is resolved with regard to Silicon Valley Accountants and is being adjourned with regard to Silvergate Bank and Evolve Bank & Trust to the hearing scheduled for April 24, 2024 at 2:00 p.m. (ET).

2. Notice of Pretrial Conference in an Adversary Proceeding [*Alameda Research LLC et al. v. Friedberg*, Adv. No. 23-50419 (JTD) – Adv. D.I. 7, filed on July 26, 2023]

Status: This matter is adjourned to the hearing scheduled for April 24, 2024 at 2:00 p.m. (ET).

3. Motion of Island Air Capital and Paul F. Aranha for Relief from the Automatic Stay, to the Extent Applicable, and Related Relief [D.I. 2664, filed on September 21, 2023]

Status: This matter is adjourned to the hearing scheduled for April 24, 2024 at 2:00 p.m. (ET).

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<sup>2</sup> Amended items appear in bold.

4. Motion of Debtors for Entry of an Order Pursuant to Bankruptcy Rule 2004 and Local Rule 2004-1 Authorizing Examination [D.I. 3329, filed on October 20, 2023]

Status: On March 19, 2024, this matter was withdrawn.

5. Debtors' Objection to Proof of Claim Filed by Ross Rheingans-Yoo [D.I. 3409, filed on October 30, 2023]

Status: This matter is adjourned to the hearing scheduled for May 15, 2024 at 1:00 p.m. (ET).

6. Summons and Notice of Pretrial Conference in an Adversary Proceeding [*Kavuri, et al. v. FTX Trading Ltd., et al.*, Adv. No. 24-50012 (JTD) – Adv. D.I. 3, filed on February 2, 2024]

Status: This matter is adjourned to a date to be determined.

7. Equinix Inc.'s Motion for Allowance of Administrative Expense Claim [D.I. 8615, filed on March 5, 2024]

Status: This matter is adjourned to the hearing scheduled for April 24, 2024 at 2:00 p.m. (ET).

### **WITHDRAWN MATTER:**

8. Motion of Debtors for Entry of an Order (I) Authorizing and Approving Sale of Interests in Digital Custody Inc. Free and Clear of All Liens, Claims, Interests and Encumbrances; (II) Authorizing and Approving Entry Into, and Performance Under, the Purchase and Sale Agreement; (III) Authorizing Debtors to File Certain Schedules to the Purchase and Sale Agreement Under Seal; and (IV) Granting Related Relief [D.I. 7248 & 7249, filed on February 9, 2024]

Status: On February 23, 2024, this matter was withdrawn.

### **RESOLVED MATTERS:**

9. Debtors' Fourteenth (Substantive) Omnibus Objection to Certain Overstated Proofs of Claim (Customer Claims) [D.I. 7582 & 7586, filed on February 19, 2024]

Status: On March 19, 2024, a certification of counsel was filed and an order was submitted for entry. Accordingly, a hearing regarding this matter is not required unless the Court has questions.

10. Debtors' Fifteenth (Substantive) Omnibus Objection to Certain Overstated Proofs of Claim (Customer Claims) [D.I. 7583 & 7587, filed on February 19, 2024]

Status: On March 19, 2024, a certification of counsel was filed and an order was submitted for entry. Accordingly, a hearing regarding this matter is not required unless the Court has questions.

11. [Debtors' Sixteenth \(Non-Substantive\) Omnibus Objection to Certain Superseded Claims \(Customer Claims\) \[D.I. 7584 & 7588, filed on February 19, 2024\]](#)

Status: On March 19, 2024, a certification of counsel was filed and an order was submitted for entry. Accordingly, a hearing regarding this matter is not required unless the Court has questions.

12. [Debtors' Seventeenth \(Non-Substantive\) Omnibus Objection to Certain No Liability Proofs of Claim \(Customer Claims\) \[D.I. 7585 & 7589, filed on February 19, 2024\]](#)

Status: On March 18, 2024, a certificate of no objection was filed and an order was submitted for entry. Accordingly, a hearing regarding this matter is not required unless the Court has any questions.

13. [Motion of Plaintiffs for Entry of an Order \(I\) Authorizing Plaintiffs to Enter into Stipulation with Lorem Ipsum UG, Patrick Gruhn, Robin Matzke, Brandon Williams, Martha Lambrianou, and Marcel Loetscher, \(II\) Approving the Stipulation, and \(III\) Granting Related Relief \[D.I. 7853, filed on February 22, 2024\]](#)

Status: On March 18, 2024, the Court entered an order granting the requested relief. Accordingly, a hearing regarding this matter is not required unless the Court has any questions.

14. [Canyon's Joint Motion and Proposed Order for Restriction of Confidential Information \[D.I. 7939, filed on February 23, 2024\]](#)

Status: On March 15, 2024, the Court entered an Order granting the relief requested. Accordingly, a hearing regarding this matter is not required.

15. [Debtors' Motion to \(I\) File Under Seal or, if Necessary, Omit Confidential Information from Declarations Filed in Support of the Retention of Certain Foreign Professionals Utilized in the Ordinary Course of Business and \(II\) Granting Related Relief \[D.I. 8200, filed on February 28, 2024\]](#)

Status: On March 18, 2024, the Court entered an order granting the requested relief. Accordingly, a hearing regarding this matter is not required unless the Court has any questions.

16. [Motion of Debtors for Entry of An Order Authorizing and Approving \(I\) Entry Into, and Performance Under, the Share and Asset Purchase Agreement, \(II\) the Sale of the Shares of the Transferred Subsidiaries, Shares of the Minority Entities and Transferred Assets Free and Clear of All Liens, Claims, Interests and Encumbrances and \(III\) Dismissing the Chapter 11 Cases of the FTX Europe Subsidiaries \[D.I. 8202, filed on February 28, 2024\]](#)

Status: On March 18, 2024, the Court entered an order granting the requested relief. Accordingly, a hearing regarding this matter is not required unless the Court has any questions.

17. Fourth Motion of Debtors for Entry of an Order Extending the Exclusive Periods During Which Only the Debtors May File a Chapter 11 Plan and Solicit Acceptances Thereof [D.I. 8621, filed on March 5, 2024]

Status: On March 18, 2024, the Court entered an order granting the requested relief. Accordingly, a hearing regarding this matter is not required unless the Court has any questions.

**MATTERS GOING FORWARD:**

18. Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 5202, filed on December 27, 2023]

Response Deadline: March 8, 2024

Responses Received:

- A. Opposition of Boba Foundation to Motion of Debtors to Estimate Claims Based on Digital Assets and Request for Continued Hearing [D.I. 5601, filed on January 11, 2024]
- B. Supplemental Objection of TMSI SEZC Ltd. to Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 8923, filed on March 8, 2024]
- C. Objection of Fondation Serendipity, Fondation Elements, Serendipity Network Ltd. and Liquidity Network Ltd to the Debtors' Motion to Estimate Claims Based on Digital Assets [D.I. 8949, filed on March 8, 2024]
- D. Lavanda Sands, L.L.C.'s Joinder in Objection of Fondation Serendipity, Fondation Elements, Serendipity Network LTD and Liquidity Network Ltd to the FTX Debtors' Motion to Estimate Claims Based on Digital Asset [D.I. 8950, filed on March 8, 2024]
- E. Maps Vault Limited's Response and Opposition to Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 8951, filed on March 8, 2024]

Related Documents:

- A. Declaration of Sabrina T. Howell in Support of the Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 5203, filed on December 27, 2023]
- B. Declaration of Kevin Lu in Support of the Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 5204, filed on December 27, 2023]

- C. Notice of Service [D.I. 5376, filed on January 4, 2024]
- D. Statement of Official Committee of Unsecured Creditors in Support of Motion to Estimate Claims Based on Digital Assets [D.I. 5619, filed on January 11, 2024]
- E. Notice of Service [D.I. 6700, filed on January 26, 2024]
- F. Debtors' Omnibus Reply in Support of Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 6728, filed on January 28, 2024]
- G. The Ad Hoc Committee of Non-US Customers of FTX.com's Statement in Response to the Motion of Debtors to Estimate Claims Based on Digital Assets and Objections Thereto [D.I. 6729, filed on January 28, 2024]
- H. Notice of Filing of Revised Order [D.I. 6784, filed on January 31, 2024]
- I. Certification of Counsel [D.I. 6922, filed on February 2, 2024]
- J. Order Granting Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 7090, entered on February 7, 2024]
- K. Order Approving Stipulation and Agreed Scheduling Order [D.I. 7218, entered on February 9, 2024]
- L. Notice of Service [D.I. 7282, February 12, 2024]
- M. Notice of Service [D.I. 7306, filed on February 12, 2024]
- N. Notice of Service of TMSI SEZC Ltd.'s Discovery Requests to FTX Trading Ltd. and its Debtor Affiliates [D.I. 7362, filed on February 13, 2024]
- O. Notice of Service [D.I. 7550, filed on February 16, 2024]
- P. Notice of Service [D.I. 7643, filed on February 20, 2024]
- Q. Notice of Service [D.I. 7644, filed on February 20, 2024]
- R. Notice of Witness List for TMSI SEZC Ltd. in Connection with Limited Objection of TMSI SEZC Ltd. to Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 7686, filed on February 21, 2024]
- S. Witness List of Fondation Serendipity, Fondation Elements, Serendipity Network Ltd, and Liquidity Network Ltd for Evidentiary Hearing on March 20, 2024, at 10:00 a.m. (ET) [D.I. 7691, filed on February 21, 2024]

- T. Notice of Maps Vault Ltd.'s Intent to Offer Witness Testimony at the Hearing on March 20, 2024 in Connection with the Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 7701, filed on February 21, 2024]
- U. Notice of Deposition of Kevin Lu [D.I. 7703, filed on February 21, 2024]
- V. Notice of Deposition of Sabrina T. Howell [D.I. 7706, filed on February 21, 2024]
- W. Notice of Debtors' Intent to Offer Witness Testimony in Connection with the Further Hearing on Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 7780, filed on February 21, 2024]
- X. Notice of Deposition of Fotios Konstantinidis [D.I. 7781, filed on February 21, 2024]
- Y. Notice of Deposition of Sabrina T. Howell [D.I. 7845, filed on February 22, 2024]
- Z. Notice of Deposition of Sabrina T. Howell [D.I. 7854, filed on February 22, 2024]
- AA. Notice of Deposition of Kevin Lu [D.I. 7855, filed on February 22, 2024]
- BB. Notice of Service [D.I. 7899, filed on February 23, 2024]
- CC. Notice of Deposition of Ioannis Gkatzimas [D.I. 8201, filed on February 28, 2024]
- DD. Debtors' Omnibus Supplemental Reply in Support of Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 9566, filed on March 17, 2024]
- EE. Official Committee of Unsecured Creditors' Joinder to Debtors' Omnibus Supplemental Reply in Support of Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 9567, filed on March 17, 2024]
- FF. Notice of Filing of Proposed Joint Pretrial Order [D.I. 9618, filed on March 18, 2024]
- GG. Joint Final Pretrial Order [D.I. 9725, entered on March 19, 2024]

**Status: Pursuant to the Court's instruction at the hearing on March 25, 2024, this matter will go forward on a continued basis on March 26, 2024 at 10:00 a.m.**

- 19. (I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion to File Certain Information Regarding Potential Parties in Interest Under Seal [D.I. 8048, filed on February 27, 2024]

Response Deadline: March 13, 2024 at 4:00 p.m. (ET)

Responses Received:

- A. Joinder and Separate Response of Sunil Kavuri, Ahmed Abd El-Razek, Noia Capital Sàrl and Pat Rabbitte to (I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion to File Certain Information Regarding Potential Parties in Interest Under Seal [D.I. 9282, filed on March 13, 2024]
- B. The FTX MDL Co-Lead Counsel's Reservation of Rights in Connection with (I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion to File Certain Information Regarding Potential Parties in Interest Under Seal [D.I. 9363, filed on March 14, 2024]
- C. Debtors' Response to Joinder and Separate Response of Sunil Kavuri, Ahmed Abd El-Razek, Noia Capital Sàrl and Pat Rabbitte to (I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion to File Certain Information Regarding Potential Parties in Interest Under Seal [D.I. 9581, filed on March 18, 2024]

Related Documents:

- A. Order Directing Appointment of Examiner [D.I. 7909, entered on February 23, 2024]
- B. Notice of Appointment of Examiner [D.I. 8047, filed on February 27, 2024]
- C. [SEALED] Unredacted Verified Statement of Robert J. Cleary, Esq. [D.I. 8049, filed on February 27, 2024]
- D. Certification of Counsel [D.I. 9547, filed on March 15, 2024]

Status: On March 20, 2024, the Court held a hearing on and entered an order granting the requested relief.

**INTERIM FEE APPLICATIONS:**

- 20. Interim Fee Applications. *See Exhibit A* attached to D.I. 9583

Response Deadline: January 4, 2024 at 4:00 p.m. (ET)

Status: On March 19, 2024, the Court entered an order granting the requested relief. Accordingly, a hearing regarding these matters is not required.

**ADVERSARY STATUS CONFERENCE:**

21. *Alameda Research Ltd. et al. v. Kives et al.*, Adv. No. 23-50411 (JTD)

Related Documents:

- A. Stipulated Proposed Case Management Plan and Scheduling Order [*Alameda Research Ltd. et al. v. Kives et al.*, Adv. No. 23-50411 (JTD) – Adv. D.I. 28, entered on August 31, 2023]
- B. Stipulation to Modify Case Management Plan and Scheduling Order [*Alameda Research Ltd. et al. v. Kives et al.*, Adv. No. 23-50411 (JTD) – Adv. D.I. 73, filed on January 12, 2024]
- C. K5 Parties' Letter to The Honorable John T. Dorsey Regarding March 20, 2024 Status Conference [*Alameda Research Ltd. et al. v. Kives et al.*, Adv. No. 23-50411 (JTD) – Adv. D.I. 80, filed on March 18, 2024]
- D. Letter of the Debtors to the Honorable John T. Dorsey Regarding March 20, 2024 Status Conference [*Alameda Research Ltd. et al. v. Kives et al.*, Adv. No. 23-50411 (JTD) – Adv. D.I. 81, filed on March 19, 2024]

Status: The status conference was held and concluded at the hearing on March 20, 2024.

Dated: March 25, 2024  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Kimberly A. Brown

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